



HT





John Carter Bruton  
Library  
Brown University

CASE

Wilmore

Longmire's

Wilmore's Planters

Wilmore's Planters



4536

THE  
CASE  
OF  
John Wilmore  
*Truly and Impartially Related*  
OR, A  
Looking-Glass  
FOR ALL  
Merchants and Planters  
That are Concerned in the  
American Plantations.

---

L O N D O N,

Printed for *Edw. Powell* at the *White Swan* in  
*Little Brittain*, M D C L X X X I I.



CASE

John Willmore

Travels and Impartially Related

Travels in

FOR ALL

Merchants and Planters

That are Concerned in the

American Plantations.

LONDON

Printed for E. & J. Powell at the White Swan in

Little Britain, MDCCLXXII

SCOTT



( 1 )

T H E

# C A S E

O F

J O H N W I L M O R E Truly and Im-  
partially Related, &c.

Solomon the wisest of Men saith, *there is a time for all things, a time to speak and a time to keep silence*; and if ever a time for the latter, surely it is now: For let a Man Act, Speak or Write never so much for the true Interest of the King and Kingdom, and the ancient Constitutions of the same, and he shall be sure to be discarded upon and ridiculed, and the words wrested and turned from the plain and genuine Sence of them by the sophistical *canting Inferences* and false Reasonings of Mr. *Observer* and his Fellows, who as is plainly seen to the meanest thinking men, are driving on furiously, *fehu* like, for setting up a *Popish* and *Arbitrary* interest in the Nations, and though their *bait* be cryed up to be loyal Protestants, and for the Government as established; yet their *Roman hooks* and *French Lines* cannot be hid, I do expect great comments by them will be made upon the putting out of my Case, and how I might have spared my pains in troubling of the World with a large *Ignoramus* Story, for that there is a *Verdict* against me, that shews what I am, with much more such stuff. Now had my Case been *single*, and I had suffered never so unjustly by it, though it had been my ruine, I would have been silent, and with patience waited the time of the *Great Lord Chief Justice* of all the earth, whose Commission is in himself for ever, and who will do right, and cannot do wrong, for he is infallible, and no respecter of persons. But considering as I am made the first *Example* of this kind, and may not be the last, especially if *Popish* malice see it for their advantage, seeing many thousands of people are concerned in most of the considerable parts of this Kingdom, and *Ireland*, either in one *Plantation* or other in *America*, I thought it my duty for *their sakes* to give the World a true and impartial *State* of my Case, that it might be a *Looking-Glass* to them, thereby to see what they must expect, if malice will prosecute.

I will not trouble you with any thing done in *Westminster-Hall*, least it should be reflected upon as arraigning the *Justice* of the Nation, I shall only give you the Truth of it, as it was before it went in there, and something of their witnessess. Were my Accusation as *Tompson* and his gang have given out for being a *Kidnapper* or *Stealer of Children*, I must have acknowledged it



to have been abominable, for of all theft, the stealing of a Child is the greatest, nothing being so dear to Parents as their Children, and I bless God, in my whole life, I never sent over Sea, Man, Woman, or Child, without their *free consent*. The matter of Fact in truth (for which I am now troubled) is this: In March last was two years, I sent several workmen, as *Carpenters* and others upon wages to *Jamaica*, we came down to take water at *Billingsgate*, but the Tide was not ready, I had besides my workmen a boy bound to me by Justice *Dashwood* of *Hackney*, to send to *Jamaica*, being a poor boy he had kept; I had also with me a boy of Mr. *Alexander Hoseas*, bound to him by his friends, to go to *Jamaica*. We went into an house, to stay till the Tide was ready, and bought some Pipes, Tobacco and Brandy, to take with us in the boat, we had not been long in the house, but (as boys use to do, who cannot sit long in a place) the two boys went out to play upon the Key or Wharf, they had not been there long, but another boy, one *Richard Civiter*, as he said his name was, came to them, and discoursing together, the said *Civiter* understanding they were going to Sea, told them he would go too, whereupon the boys came and told me, there was a boy would go to Sea with them, I bid them bring him in, whereupon he came, when I saw him, I told him I supposed he was some mans *Son*, or *Servant*, therefore would not meddle with him, and bid him go and mind his Fathers or Masters business, he replied to me, *He had neither Father, Mother, nor Master, nor any friend* he knew of, where he might have Bread; yet I was not satisfied, but bid him begon, I would not meddle with him, so he went out, and the boys also, and I thought I was quit of him, but the two other boys went into my boat, and this *Civiter* also, unknown to me, went with them, when the Tide was ready, the water-men called us to go, and when we came into the boat and found there also *Civiter*, I bid him be gon out, for I would have nothing to do with him, but he prayed me for Gods sake, and Cryed and Roared, and unless I would have turned him out by Head and Shoulders, he would not go; whereupon *One* from the Key side, as I suppose seeing the bustle in the Boat to get the boy out, called to me and told me, if I took the boy I should do a *Charitable deed*, for that he had been a little before *pilfering* of *Sugar* upon the Key, and might come to the *Gallows* if he stayed here, but might make an honest man if he went beyond Sea; upon this, & the water-mans saying it would be no harm to carry him to *Graves-end*, I was contented; but all the way as we went I used my best understanding in his examining that if possible I could find him *vary* from his first story, but I see he still held in one tale, only made this addition, that his Father and Mother were dead, and that there was much Rent owing to the Landlord, and he came and seized the Goods for Rent, and turned him out of Doors, and he had no place to go to, so was forced to wander about.

When I came to *Graves-end*, I was not satisfied, but had the boy before the Mayor, who examined him as I had done before; and he kept still in his old Tale; for if the Mayor could have found out from him any *Parents* or place of aboad, he would undoubtedly, as the Law directs, have given him Correction, and sent him back with his *Pass*, but seeing he could find no Parents nor place to send him to; he asked him then, what he would do, he said *he would go to Sea*, and said if this Gentleman (meaning me) would not take him he would go with any that would, and if he could not go in this Ship, he would



would go in some other; the Mayor seeing the case so plain, that the boy was in distress; then asked if I was willing to take him, I told him I would, hoping he might make an honest man; the Mayor in an Indenture bound him to me, his Clark being an Attorney, drew the Indentures; the which were Signed and Sealed interchangeably, between the boy and me; the Mayor and his Clark, with the *Kings Searcher* being witnesses; and the Boys Indenture being kept for the Boy in the Mayor's Hand; the Law as, *I take it*, putteth the magistrate to stand in the room of Parents; to poor Children they put out, having no Parents of their own, as this Boy always from first to last denied he had any.

After this was done, I sent the Boy in our Ship the *Granado* to *Jamaica* to my Plantation, where for ought I know he is well, unless he be put an *Apprentice* to a Carpenter, or Joyner, as I think some of our last Letters have hinted.

Thus as brief as I can, I have given you the true matter of Fact, and all that then appeared to me, how and in what manner the Boy came to me, and how disposed of; so I wished them a good Voyage; and all my expectation and hope in this boy, was that God might make him an honest man, and when God blessed him to be for himself, he might remember that God had raised him a friend here, to take that care of him, and provide for him, being then taken by me to be Fatherless, Motherless, Friendless, and helpless, and as the boy often said his condition was such, or else I had never meddled with him; for it is well known to most Merchants, that its no *gain*, but commonly and mostly *loss*, for any man to send over any Boys, Girls, or Women to *Jamaica*, and that I had very good Witnesses to prove at this very time, and in this Ship there were two boys bigger then *Civiter*, and by consent of their friends sent, who well clothed them, and besides gave Money to the Merchants to send them to *Jamaica*, to be employed in Plantations, and I dare be bold to say, that to this time neither Planter nor Merchant to the said *Island* will take any such boy *without Money*, for they are at considerable charge of keeping, and are of little use for some years; and indeed were there safety to the Planter and the *Island*; I am sure the fewer *white* servants any Planter has, the more it would be for his profit; but there having been some disturbance by the *Blacks*, and the Government finding it might be of dangerous consequence, therefore made an Act for the future, every Plantation should have one *White* servant, to every ten *Blacks*, being intended only for the *security* of the *Island*, and it is not the profit as I said before, but an *Increase* of charges to the Planters; what profit there is, comes out of the labour of the *Blacks*, who have little more for their food, then the Earth produceth, and indeed that is very good, it producing several good *Fruits* and *Roots*, and having many good green Pease, for many Months in the year; sometimes if the Master of the Plantation be *good natured* and kind, he will allow his *Blacks* salt Fish or Flesh once a week, and with this they are for the most part well contented and very thankful, acknowledging they live better there then they did in their own Country from whence they came, and yet the great labour of all the Plantation is done by the *Blacks*, the *Whites* business being chiefly to overlook the *Blacks*, and to keep them in awe. I dare boldly say no *White* servant in *Jamaica*, works near so hard as many of our Husbandmen in this Country, or doth much more then half the work

B

of

f c f f



of a *Black*, and yet is more chargeable in keeping then five *Blacks*, and this argument alone is enough to satisfy any man, that no Planter in his wits will keep more *White* servants than the *Law* of the Country commands him, but less if he could; I have already given you the food of the *Blacks*, which is all their charge, only once a year so much *Blew Linnen*, as will cover their Nakedness, and a knit Cap of about eight pence a piece; now the Charges of every *White* Servant is as followeth, every year *new* *Clad* from top to toe, besides recruits within the year, of Shoos, Stockings, and Shirts and other things, and for their dyet, not only all that the earth produces as the *Blacks* have, but over and above by act of the Country, as I am informed is allowed seven pound weight of *Flesh* and *Fish* every week, which is a pound a day; now with good Fruits and Roots, and the bread of the Country, which is very good, for I heard Sir *Thomas Muddisford* when living here, say he had rather eat it then ours here, this I say with a pound of Fish or Flesh a day, I suppose will not be accounted by any reasonable man a short *Commons*, and if this be not duly allowed them, the servants upon complaint to a Justice of the Peace, shall be immediately relieved, and the Planter severely chekr. Now by all this, let every man judge whether white Servants are hardly dealt with, during their Term there, and when they come out of their times, they have a portion of ground allotted them where they may plant themselves, and if careful and diligent with Gods blessing, may live very comfortably and well: I have known some my self that have gone over in a low condition, yet now have arrived to Estates of above *One thousand pound Sterling*, per annum, and these are Planters; though now the price of Sugar being very low, the Planter hath not that encouragement as formerly.

And now having given you an account of the care taken for the body of every white servant, shall give you some account of what provision is made for his soul also, by an Act of the Country, every Parish in the Island is to allow to their Parish Minister, 100*l.* Sterling per annum, and besides there is many good Gifts, and if there be not a good Minister in every Parish, it is not the fault of the Government, for they are willing to give good encouragement for good men to come to them, I wish every Parish in *England* were able to allow every good Preaching Minister 100*l.* per annum; but this is a digression. Now to return to my first intended design to lay open before you, what farther Circumstances hath come to the knowledge of me, since my sending the boy away, as aforesaid: About a year and aquarter after the boy was sent, comes a Gentleman to me, and tells me there was one *Civiter* a Barber in *Wapping* had his Son sent over to *Jamaica*, and he had heard that I sent him, and therefore required I would make him satisfaction, I asked him what *Civiter* was? he told me he was a poor man, and he heard I was rich, therefore he expected Money from me; for that his Son was a Loss to him being helpful to him in his Trade, upon this I told him the matter and manner of Fact in sending the Boy as is before recited, and that it was strange he should pretend to be his Father, when the Boy denyed he had Any living, Also I told him I had done nothing but what was fair, and should be content any one should do the same by mine, should God bring them in the same Case, as the Boy persisted he was in, as being Fatherless, Motherless, friendless, penniless and helpless, and this believed by me: and farther,



I said to him, if this *Civiter* had a Son run away from him that was any wife serviceable to him, and he had any Love for him, I wondred he did not look out for him, long before this time; the Gentleman said he would not have looked after him now, but in hopes to get a piece of *Money*, for faith he, I have heard the Boy had been *very unlucky*, and run away from divers places and would never come to good here, and therefore hearing how I had disposed him and the manner of the Boys going, he said he was well satisfied, that he was better disposed then the parents could have done for him, therefore he would acquaint them with it, and meddle no more in it, so I heard no more of them, until about *Three Months* ago, and then one Mr. *Grote*, a Solicitor, being Neighbour to this *Civiter*, and had lent him some Money; and *Civiter* being poor and not able to pay him, the said *Civiter* told him of this business, and said, if he would follow it, he might get as much Money as would pay himself; upon which Mr. *Grote* came to me, bringing with him *Civiter* and his Wife, who I had never seen before to my Knowledg, and Mr. *Grote* charges me, how I had sent away a Boy one *Civiter* about two years ago to *Jamaica*, which Boy was their Boy, and therefore they expected satisfaction should be made for the same, whereupon I replied, Surely the Boy I sent, could not be theirs, for he is absolutely affirmed to the last, he had neither Father or Mother, and I perceived here he had brought both; whereupon little more passed at this time farther, then giving them a Glass of Wine I being in a Tavern at Dinner; not many days after Mr. *Grote* came to me very civilly, and tells me, I must do something in this business about the Boy, I told him, I would do any thing that was reasonable, but I knew no Reason I had to do any thing, whereupon, faith he, will you go before my Lord Mayor, and leave it to Him, I told him, I would very readily, then Sir, faith he, I shall not trouble you with a Summons, but pray please to Appear such a day and hour; Accordingly I attended, where soon after I saw Capt. *Sam. Jones*, who had been Commander of the Ship, at the time when the Boy was sent, whom they had summoned in; when my Lord Mayor was ready, we were called before him, there appeared against me that I knew again Mr. *Grote* and *Civiter*'s Wife they telling my Lord, how their Boy was lost, and how I had taken him up, and Capt. *Jones* had carried him away; my Lord asked, what I said to it; I said, my Lord, I own such a Boy by name, and gave my Lord Account as to the Matter and Manner of Fact, as before is recited, my Lord turning to them, said, what would you have, they Answer'd, Their Boy again, I replied, The Boy sought me, not I him, and indeed by his pittiful Complaints, prevailed with me to take him, or else I should not have done it, whereupon one Mr. *Rainsford Waterhouse*, a Man of known Repute and Estate, said my Lord, I wonder at the Ingratitude of these People, and what they would have, they ought to give Mr. *Wilmer* Thanks for doing so well by the boy, who is better provided for then they could do, for they are so Poor, that the Parish doth daily Expect, when they will come upon their Charges, I knew not one Word of Mr. *Waterhouse*'s being there, until I heard him speak, when he had done, faith my Lord, Look, you here, why do you come with Complaints when you ought to give thanks to God and Mr. *Wilmer* for doing so well by the Boy; upon which speaks one Mr. *Vavasor* who was all this while a Spectator and no ways concerned in it, or made acquainted with it, as I shall prove in due time, and that *Civiter*'s Wife had never seen *Vavasor* in her Life before to her Knowledg, but he then spake and used many words to little purpose, that to me his Lordships patience seemed very great to suffer



fer him so to talk, and concluded all with having the Boy again at my Charge, whereupon I told my Lord, *they should see I was so far from any D. sign of any Advantage I had by the Boy, that I would be content to loose all my Money disbursed in sending him out, which with Passage, Clothes, and other Charges was not less than Eight pounds, provided they would be at Charge for him back, and if he were not their Boy to give security to pay me all my Charges, all which I thought vvas reasonable if he vvas their Boy, and they had any Love to him or desire for him, and vvere able to keep him; I thought it vvas fair for me, to loose my Money aforesaid, and keep the Boy above Two Years, vvhhen he could do little of service: My Lord vvas of Opinion I offered very fair: nay farther I offered to leave it wholly to his Lordship if they would; but they refused, unless first I would be obliged to bring the Boy, and other Matters they would leave to my Lord, so that Mr. Vavasor speaking Words unbecoming him in the place, vvherein he stood, how I was an *Ignoramus*, on purpose to proveke me, I said my Lord, I see this Gentleman hath some farther Design in hand, and is willing to be doing, seeing therefore nothing of Reason will satisfie, I knowing my own Innocency in the Matter, I pray my Lord, let them take their *Course by Law*, for I perceive, it is more than the Boy this Gentleman aims at; *Money* at least if not something else, therefore pray my Lord, let them take their *Course*; upon my Lords speaking to *Civiter's Wife*, *Good Woman, where is your Husband for to prosecute*; she answered, *My Lord, My Husband is a poor man, and hath not Clothes fit to appear before your Lordship, or words to that effect*, upon vvhich saith Mr. Vavasor, *My Lord, I will be bound with the Woman to prosecute*, vvhereupon he vwith the Woman entred into a Recognizance of Forty pounds to prosecute me at next *General Sessions of Peace at Guildhall*, and my self vwith Sureties vwere bound in the like Sum to Appear; all this while to give Mr. Grote his due, he vvas so Civil as to say very little, seeing I had offered so fair, *That nothing, as he said, in Reason and Conscience could be said against it*; and now for what vvas said and done at my Lord Mayors, several Good Citizens can tell the truth of this Relation; nay I dare stand to the Memory of my Lord himself: I had almost forgot one thing farther, I offered the Woman, vvhhen before my Lord, that if she vwould write her mind to the Boy, I did engage before my Lord, it should be carefully sent to him; and if he did signife in his Answer to her, that he did desire to come back; I would send for him back: and this is the sence and substance of vvhath passed before my Lord, only some Words Mr. Vavasor vwould have charged me with, as then to have said to my disadvantage, but my Lord corrected him, as charging me vwith a Falshood, and thus we parted as I thought not to have heard from them any more until the Sessions.*

But the next, or at most, two days after came Mr. Grote to me and told me, *He was very sorry things were carried so high by Vavasor, and that he should thrust himself into this business being altogether a Stranger to Civiter, and she had never seen him in her Life before, and then when Civiter's Wife came home her Husband vvas angry at vvhath she had done, telling her, He had, and that she knew well, given full Power by Letter of Attorney to Mr. Grote to prosecute, or make an end, as he saw good, and to none else; which Letter of Attorney Mr. Grote shewed me; where I saw Richard Civiter by his Mark, which mark I have forgot, but saith Mr. Grote, If you please to put the Business to Arbitration I am willing, I replied, I was for my part willing also to leave it to any man, that he should name*  
that



that had the Reputation of an Honest Man ; but I said, If it be put to Arbitration, *Civiter* and his Wife shall with me enter into Bond to stand to the Award : Accordingly next day he brought up *Civiter* and his Wife to enter into Bonds with me : I being at dinner Mr. *Grote* came up and dined with me ; there was also at Dinner One Mr. *Falconer* and Mr. *Dodsworth* with some others ; I heard *Civiter* and his Wife was below , I sent them down some Victuals , and ordered them a Pint of Wine , and whilst we sat at Dinner Mr. *Grote* chose Mr. *Falconer* , and I chose Mr. *Dodsworth* , and as soon as we had dined sent for a Scrivener , who drew up Bonds of One hundred pounds penalty each to other to stand to the Award of the said Arbitrators , and if they did not make an end of it, then to such Umpire they should choole ; the Arbitrators withdrew and consulted ; but in the mean time Mr. *Vavafor* had been at *Civiter's* house, but finding them not at home, hunted out after them, and found them out with me ; and came into my room with a lame excuse, and asked if I were not at his house to speak with him ; I told him no, nor knew of any house he had ; if he had, knew not where it was, he replied he thought it had been me, for his Wife told him there had been a Gentleman on horse back at his house, and said his name was *Wilmore*, and would needs speak with her Husband ; now Note, I had not been on horse-back for above six Moneths before that time ; but he thought that forged story would seem the better, if he said, I were on horseback, because he heard I was most at *Hackney*, and came to Town every morning, but I perceived his business was to speak with *Civiter* and his wife, and thereupon he spake to them and asked the reason of their being here, they told him what they had done, at which he stormed and made a very great disturbance in the house by his bellowing ; upon which I bid him depart my room, and not come there with his flames to make disturbances, I knew of no business he had ; and with much ado got him out of the house ; when gone, *Civiter* and his wife were very civil, and seemed not to like *Vavafor*, and that they were well enough satisfied with the boys being where he was, but thought it was reason they should have Money, because they was told I had sent him without Law ; but howver (said they) vve are content to take vwhat the Gentlemen Arbitrators give us, about this time the Arbitrators broke off for the present



sent, and appointed to meet at the same house the next day at Dinner, and then to discourse and make an end if they could; by this means Mr. *Vavafor* fearing his time would be lost, gets his Assistant, one *Carleton Beamount* to go with him near *Civeters* house, where sending for them, he gives them plenty of liquor, and treats them high, and tells them they were worse then mad, if they made an end with *Wilmore*, for as for money he would help them to a great deal more, than ever they could expect of *Wilmore* by Arbitration, nay hundreds of pounds and more, as I shall by witness be able to prove, and farther said *Vavafor*, this *Dog Wilmore*, this *Ignoramus Dog*, if I do but rout him, I shall be made the *Kings Attorney*, this I am credibly informed he had the impudence to say, and I shall, I question not, prove it when occasion offers.

These Fellows talking at this High Rate of such Great sums of money, the poor people dream't of nothing but Mountains of Gold and Silver; though as is verily believed never saw five pound of their own together in their lives; but being then pretty high in drink, they fell a rayling at Mr. *Groat*, telling him he drew them in to Seal a Bond of Arbitration, and had betrayed them, therefore they would go to their Arbitrator and order him not to make an end by any means; Mr. *Groat* here-upon seeing their fickleness, and charging him of betraying them; said he would meddle no more in it, and by his good will the Arbitrator should make no end if he could help it.

Next



Next day according to appointment the Arbitrators met, and Mr. Groat comes and tells them what was done, and prays Mr. Falconer to leave the business as he found it, for he was accounted a Rogue, Rascal, and Cheat, and therefore should have a weary life with the *Civeters*, being foul tongued people, and his Neighbours therefore prayed him again to make an end; but Mr. Falconer replied, Sir I hope you did not choose me for your fool, therefore I shall make an end of it if I can with this Gentleman Mr. Dodsworth, for I find him an Honest and Judicious man, upon this Mr. Groat and I left the Arbitrators to themselves and went into another room, where Mr. Groat told me what had passed down by *Civeters*, and by means of this *Vavasors* wheedling them with such great promises, that he should have no quiet of his life, for *Vavasor* did continually ply them so close, that his Tale could not be heard with them; for (says he) *Vavasor* spends Money upon them, and treats them at such an extravagant Rate, That I cannot but wonder at the Meaning of it, and talks to them of such great Sums of Money, he will get them, as makes the poor People almost mad. By this time the Arbitrators brake up, and told us, They as then could not agree; but would farther consider of it until the Morrow, if then they could not agree, would give it up to the Umpire, which they had agreed on; which was one Mr. Atwood; And so They Appointed to meet at the Ship-Tavern in *Bartholemew Lane*, but before they parted Mr. Dodsworth told me, though I had not Limited Him, and he saw no Reason I should give a penny yet for Peace sake, he had consented to give Five Pounds; In regard the Charge would be as much to me, if not more if I brought the Boy back: Though He saw no Reason I should do that, if the Boy went willingly, and was bound by Indenture: I said He was, and the other Gentleman said the same, if I could but shew the Indenture, He would be satisfied; But, saith He, I have but your Word, That he was so Bound, and They say, He was not, Novv vvhich shall I Believe.

I said, Sir! as you are a Merchant, must needs know the custom of Merchants, that when Servants for Plantations are bound; the Indenture



denture they sign to, is always sent with them to satisfy the Government, and the Persons they are sent to, that thereby they may see when their time is expired, that then they may have their freedom; and for the other Indenture, the party bound takes it in his custody; that by it, when his time is out he may demand his freedom, unless there be Parents appear, then they many times take the Indentures of the Lads, signed by his Master, to keep for him lest he lose it: And Sir, the witnesses live as far as *Graves-end*, and its impossible for me to send to them to have an Attest within the compass of your time, but Sir, let that proof rest on me, and make an end with that proviso that I prove the Indenture; Sir saith he, that will be intricate to draw, and the Umpier we have agreed on is an honest man; and you may get your Attest of the Indenture time enough to shew him, and I am sure that will satisfy him; and when Mr. *Dodsworth* and I go to him, to give him account how we have proceeded, we will both tell him our judgments; if you prove the Indenture and the willingness of the boy to go, we think it no reason for you to give a farthing; but however, Sir, saith he, Mr. *Dodsworth* hath told you what he hath offered to give: And I will tell you what I offered to take Thirty pounds, nay Twenty five pounds to put an end to it: And I confess I have no other reason, but the People are poor, and I am not certain of the Indenture: Nay, Sir, said I, *If that be all, I can go, or send my Man twenty Times to Gravesend for less Money than Twenty pounds*, therefore pray ye Gentlemen, both together, when you deliver up your Trust to Mr. *Atwood*; tell Him your Judgments, and what only differed, and by that time Mr. *Atwood* hath it from you: My Man shall bring from *Gravesend* an Attest of the Indenture, and the Boys willingness to go; And I shall confide in Mr. *Atwood*'s Readiness to put an End to this Branglement: Upon this We parted, and I sent my Man to *Gravesend* to Mr. *Walter Nym* to enquire of him what he could remember in this Matter, upon which after a little pause, saith he, *I Remember the Thing very well, and have the Boys Indenture by me, that was signed by your Master, I will fetch it, which he did, and my Man took a Copy of it, and compared it, that so he might make Oath it was, A true Copy, if need be, thus far my Man having proceeded; the next thing was to the willingness of the BOY: Sir, Do you Remember any Passages or Circumstances as to that? Mr. Nym Replyed, That He believed,*  
*He*



He examined him near an hour, and That he deny'd he had either Father or Mother, or any place of abode, and That he was resolv'd to go to Sea, either for your Master or any one that would have him. And therefore seeing the boy in Distress, and your Master willing to take him, I thought it my Duty, at least no Crime, to provide an honest Master for a poor Boy, and so I did bind him. My man hearing Mr. Nynn express himself thus freely, saw it was full to the purpose for which he was sent: yet asked Mr. Nynn for Mr. Cresswell the Searcher: He said, he was Dead. Upon that my Man rested, relying he had enough to satisfy Mr. Atwood: he comes back and gives Mr. Atwood an Account: and Mr. Hodsworth delivers him over the Power of Umpire, and satisfies him where Only the Let was; Mr. Folkoner only wrote to him, as I think. But whether the Woman, by Vavasor Intigation, disturb'd him, or what else, I know not: He left the Business as he found it, saying, He was near 80 years of Age, and, he did not love to meddle with any Business: so the time was elapsed, and no more to be done untill the Sessions which was near. My next work was to Enquire, what Mr. Vavaser was? I quickly heard enough of him: Amongst other things, I shall only Instance This, He hath been a great Informer, and an unnatural one; for, 'tis reported, He informed against his Father in Law, Mr. Hocker, a Rope-maker well known to be of an Estate, and an honest man: I think he was forc'd to pay 200 l. or a considerable sum upon his Son's Information against his Father, for going to Meetings. And by this time the Sessions of Peace brings me to appear at Guild Hall, where I found Mr. Vavaser, and as an Assistant to him, one Mr. Carleton Beaumont, Ciriter and his VVife, with some Others they had got, who were very busy in preparing a BILL to present before the Grand Jury: VVhich done, after the Examining what VVitneses they then had, did upon their Serious weighing it, do me that Justice and Right, as to bring in the Bill *1900. annu.* Upon which Vavaser was so impertinent, as to say, They had more Witneses, therefore desired the Court, the Jury might go out again: Which was granted: And upon Examining the other Witnes, the Jury was farther confirm'd in their first Verdict, and accordingly gave it in. Upon this Vavaser had further Confidence to move the Court, That their VVitneses might be examined in Open Court: which was rejected. He was in a very great Rage, and his Assistant Beaumont was transported with Passion, saying, Altho an *Ignoramus* was brought in here, yet he would put in an *Information* in the Crown-Office against me, and lay it in KENT, for that he would Colledge me or serve me as Colledge was serv'd, before he had done with me, and bid me prepare for it: And truly, I verily believe the man spake what was in his Heart, That if such as he could get JURIES to their Minds, they would not only hang me up, but Thousands more, like Ropes of Onions. And for a farther Account of this Mr. Carleton Beaumont, I refer you to Mr. Elkana Settle, who among many others can give you one Prank of his, at whose Mercy Beaumont did lye: there was a Record rased by somebody, I suppose Mr. Settle may more certainly inform you: since my Retirement, I have not had Opportunity to make Inquiry into Particulars; But both Vavaser and Beaumont by Common Fame are notoriously known. Now I thought my self at rest for some time, but my Enemys meant no such Thing, for quickly was I served with an old Obsolete Writ, that is scarce in a King's Reign made use of, called *De homine Replegiando*; which



was made returnable *immediate* or immediately. I told Mr. Beaumont and the Clark-fitter one under Mr. Trotman Secondary or Deputy Sheriff, at the Poltry Counter, That I did not understand the meaning of it, but I would immediately advise with Council, and accordingly would put in my Return: And I very happily met with Councell in the same House, to whom I shew'd the Writ, and stated my Case: he said, He would look it over, and draw up a Return: But before Council could draw it up, I was next day serv'd with an *Alias*, returnable also *immediate*, being of the Tenor of the Former: and the next day was serv'd with a *Pluries*. By this time, my Council had finished the Return, which, by good Witness, was carried to the Poultry Counter, drawn by him in Latin: Therefore for the more Common Understanding thereof, I give it with the *Pluries* in English; for our Commonalty generally as yet, do not understand either *Latin Prayers*, or Court-Hand *Latin Writts*.

### The Pluries.

“CHARLES the Second, by the Grace of GOD, of *England, Scotland, France and Ireland* King, Defender of the Faith, &c. To the Sheriffs of LONDON, Greeting. Whereas WE have often Commanded you, That justly and without delay, you should cause to be Replevied, the Body of *Richard Ciroiter*, which *John Wilmer* of *Jewen street*, LONDON, Merchant, hath Taken, and having Taken doth hold, as it is said, unless he should be taken by Our Special Precept, or, that of our Lord Chief Justice, or for the Death of a Man, or for our Forrests, or for any other Cause, whereby, according to the Custom of *England*, he is not repleviable; That We might hear no further Clamor for Defects of Justice: or that you should signifie unto US, the Cause why our said other Precepts to you directed, you would not or could not Execute; and you contemning (as We Conceive) Our said Command to Replevin the said *Richard Ciroiter*, or, at least, have not hitherto taken Care to signifie unto Us the Cause why you would not or could not do the same; to the manifest Contempt of Us and Our Commands, and to the great Damage & Grievance of the said *Richard Ciroiter*: Concerning which We are Amazed and extremely moved; Therefore firmly injoyning, We do now Command you, That you do cause the said *Richard Ciroiter* to be replevied, according to the Tenor of our said former Precepts, to you formerly directed, or else, That you yourselves be before Us from the day of Easter, in three Weeks, where-soever We shall be in *England*, to shew Cause why Our said Commands, to you so often directed, you have dispised to execute, and have there this Writ. Witness Our Self at *Westminster*, the 28th day of *April*, in the XXXIV. year of our Reign.

Shellberry.

By the Lord High Chancellor of ENGLAND.

To



To the abovesaid Writ, I shall subjoyn the Return, drawn up by my Council, which is in these words following,

“WE Samuel Shute Esq; and Thomas Pilkington Esq; Sheriffs of the City of LONDON, to Our Sovereign Lord the King, and the day and place within mentioned, do certifie That the within named *John Wilmer* doth Assert and Claim the within Named *Richard Civiter* to be his Servant, by Contract between the said *John Wilmer* and *Richard Civiter*, by Deed indented : By which Indenture the said *Richard Civiter* for a price did Bargain with the said *John Wilmer*, to serve him the said *John Wilmer* in his Affairs in the Island of JAMAICA, for a Term of years, as yet to come ; and long before the coming to us of the said Writ, he did of his own Accord pass over unto the said Island, by Reason whereof, we the said Sheriffs, him the said *Richard*, now in the Service of the said *John*, in the Island aforesaid, cannot Replevie or Deliver,

Signed by Council *Anthony Welden.*

Now that the World may see this Return was True and Honest : and the State of my Case: I shall here annex the Copy of the Indenture it self, as followeth.

“THIS Indenture made the 31 of March in the year of our Lord 1680. between *Richard Civiter* of the one part, and *John Wilmer* of London Merchant of the other part; Witnesseeth, That the said *Richard Civiter* doth hereby promise, covenant and grant to and with the said *John Wilmer*, his Executors and Assigns from the Day of the date hereof until his first and next Arival in *Jamaica* in parts beyond the Seas : and after for and during the Term of Nine years, to serve in such Service and Imployment as he the said *John Wilmer* or his Assigns shall imploy him, according to the Custom of the Country : In the like kind, in Consideration whereof the said *John Wilmer* doth hereby covenant and grant to and with the said *Richard Civiter*, to pay for his Passage, and to find and allow him Meat, Drink, Apparel and Lodging, with other Necessaries, during the said Term : and to pay unto him the said *Richard Civiter*, as by Custom of the Country he ought, and in such Case is used. In witness whereof the Parties abovementioned to these Indentures have interchangeably set their hands and Seals, the Day and year first above written.

*Sealed and delivered  
in the presence of*

Walter Ninn, *Mayer of Graves-End.*

Richard Cresswell, *Searcher.*

VVilliam Codd, *Attorney.*

Having brought you thus far, the said Return being given in, as aforesaid; my Council assured me, according to the best of his Judgment, That I should hear no more of it, if the Sheriff made that Return; But I said;

VVhat



VVhat if they Scruple it? He answered, Do you stand by it; for 'tis the Truth of your Case, and if they do make any other, upon their Perils be it; for if they make a false Return, what ever Dammage you suffer, you have good Remedy against the Sheriffs, when their time is expired: I being assured of the fidelity of my Council, did sit down satisfied. But here I might lead you into a large Field, as to what passed between the Sheriffs; Mr. Secondary, *Trotman*, the Council, and my self; but its not material; having come to a greater length already than I hoped it would; therefore now shall study Brevity. In fine, there was a Return made other than what I first put in, which was in the Lawyers term an *Elongavit*, the sence whereof is Englished, as followeth.

“BEfore the Coming of this VVrit to us directed, the within named *Richard Civiter* was elongated by the within named *John Wilmer*, to Places to us altogether unknown, so that the said *Richard Civiter* we could not Replevine as within is given in Command.

Resp. *Sam. Shute Ar.* } Vic. Com.  
*Tho. Pilkington Ar.*

I shall not now Enquire into the Reason, nor relate *Why*, and by whose Advice this was made; but I told Mr. Sheriff *Shute*, It was none of mine, and was not a *True Return*, if I suffered by it, I begg'd his Pardon, if I sought my Relief where the Law would help me. Now by means of the last Return, it let in my Prosecutors to take out a *Capias in Withernam* (as they call it) directed to the Sheriffs of LONDON, upon which they issued out their VVarrant to take me into Custody, which if I had been, must have lain untill the Return of the Boy, which at least would have been fix Months, it may be twelve.

*The Copy of the Warrant.*

Poultry §. “BY Virtue of the Kings Majesties VVrit of *Capias in Withernam* unto us directed, you shall without delay take the Body of  
“*J. Wilmer* of *Jewen-street*, *London*, Merchant, in VVithernam, and deliver  
“him into our Custody, so that him we may safely keep untill we shall be  
“able, according to the Custom of *England*, to Replevy the Body of *Ric.*  
“*Civiter*, whom the said *Jo. Wilmer* hath taken, and having taken doth  
“detain, according to the Tenor of the same VVrit: dated 11.8.1682.

To any of our Serjeants at Mace.

*Sam. Shute Ar.* } Vic.  
*Th. Pilkington Ar.*

The day before the *Capias* was granted, I was by Rule of Court from the Kings-Bench-Court to attend, where I appeared, and then the Attorney General moved, I might plead to an Information in the Crown Office, being the same Mr. *Carlion Beaumont* threatned me with, which was then by Order of Court read, and is as followeth:

The



"THE Attorney General, this present Easter-Term, informs, That the Defendant *Jo. Wilmer*, late of *Fewen-street, London*, Merchant, being a person covetous of Gain, not in the least caring by what wayes and means he Livelihood, Gain and Profit acquireth, although to the Damage and Prejudice of others.

"The Defendant the 30th day of April in the 32 year of Charles the now King, at *Graves-End* in the County of *Kent*, in and upon one *R. Civiter* son of *R. Civiter* of *Wapping Barber*, an Infant within 13 years of Age, against the Peace of Our Sovereign Lord the King, made an Assault and him the said *R. Civiter*, beat, wounded and evilly intreated, so that of his Life he greatly despaired, and then and there the said *R. Civiter* in a certain Ship, by Force and Arms, falsely, subtilly, unlawfully and injuriously conveyed and caused to be conveyed in that Ship into parts beyond the Seas, into a certain Island called *Jamaica*, falsely, subtilly, unlawfully and injuriously the said *R. Civiter* transported and caused to be transported, with intention to detain the said *R. Civiter* in the Island aforesaid, for his profit, and other Enormities, to the Dammage of the said *R. Civiter*, and to the wicked Example of all others in the like case Delinquents, and against the Peace of our Sovereign Lord the King, his Crown and Dignity: VVhereupon the Attorney General craved Advice of the Court, in the Premises, and to put the Laws in Execution against the said *Jo. Wilmer*, to Answer our Sovereign Lord the King, the Premises, &c.

Whereupon I was ordered to plead *Guilty* or *Not Guilty*. I replied, That if by the Legal Course of that Court, I ought so to do; I was ready to do it: But withal told my Lord Chief Justice, I was sorry that Great Court should be troubled with so *Trivial* a Thing wherein was more of *Malice* than any thing else, for that one *Carlton Beasumont* one of the busiest in Prosecution had threatned to *Colledge* me before he had done with me. My Lord commanded the Tip-staff to take me into Custody, If I did not immediately plead; Whereupon I pleaded *NOT GUILTY*: Upon which my Lord ordered a Tryal at Bar of that Court: And, as I told you in the Introduction, I shall not meddle with any thing done by that Court in my Tryal, being a *Noli me Tangere*; yet I hope, without Offence, to Justice, in defence of my self I may touch upon the Material Witnesses there produced against me: one, was *Civiter's* wife, who swore several things against me: as my Discourse and Demands at my Lord Mayor's; That there I demanded what Money I had disbursed in the Boy's Passage outwards, and likewise what his *Re-passage* would cost: when as its notoriously known by many good Citizens, That those things are notoriously false; for that my Offers were as are formerly exprest. Another Witness brought against me, was *their Waterman* who swore, He carried us down to *Graves End*: which is also notoriously false.

Now, That the Waterman *We* produced was the *Right-man* that carried us, I shall make out by such a Corroborating Circumstance as shall satisfy all unbiassed persons, tho, many will say, Its hard to find a Waterman after 2 years, that but once carried one by Water, or that never saw the man before or since; but take the Circumstances, and then Judge. As we went to *Graves-End*, Some Discourse between one another will be, to pass away the

times; and amongst other Discourse, our Waterman told us, That year a Gentleman (as I understand, had some time before) gave a *Boat* to be rowed for, by several Watermen, and he that came first to the place appointed, should have it: our Waterman said, He got the Boat that year: By this Token many of *Billings* gave watermen told us his Name, and so we found him out, or else among the Thousands it had been Impossible: Therefore whereas the *Popish Scriblers* have charged me with *Subornation*, and my Witnesses with Perjury, I doubt not by unquestionable Testimony of good Citizens, and others of Repute, to make out Both against some of their Witnesses, with *Vavesor* and *Beaumont*.

Thus have I given you, at large, the most material Things done by my self in sending over the Boy: and also the most remarkable Occurrences done or said by others, from the beginning of the Prosecution, to the Tryal at *Westminster*. (Where, by the way, Note, I had above 20 Witnesses of good Repute, whereof one half of them (as I am Inform'd) was not sworn, nor several of those that were, ever so much as heard: I had six Counsellors, judg'd as able as most as plead at that Bar: who did speak little: the Reason of both I leave to indifferent and unbiassed men to judge, when the *Matter* and *Manner* of my Case was as before is stated and would have been fully prov'd) Having done what I promised in the Beginning, I leave my self to the Judgment of God and men, whether *Guilt* or *Not Guilty* of the Information: When some of the Jury confessed, They had many times done the same thing, and had not near so much to say for themselves as I have, and yet thought it no Crime in them: But some may say, *Every one is not John Williams*, and, That *same may be true* *Real and* *Prose*, *than another look over the Hedge*: But (to requite Proverb with Proverb) that which is *Sauce for a Goose to day may be for a Gander to morrow*. Therefore, if Judgment be of Parties and not of Causes, I am sure no Peace can be in that at long Run, when the Judge of Judges shall sit on his Throne, and pass Judgment upon all men according to what they have done here. That which I am more concern'd at than at my own *Private Troubles*, is to see the Unconcernedness of our *Protestants* one for another, and that there should be such Divisions amongst US at this day, when the Common Enemy, the *PAPISTS*, unite in Councils and Purposes for the Good of their whole Party. [ *Witness Thompson about Godfrey* ] When as but one little *Arm* of their Tribe shall stare the Government in the Face, and give them the *Lie*, and tell them, he will Thiev them a Reason for it too, if you question him: Rather than he shall want help, their *Capt. General* shall interpose for him: How then should this teach Protestants more Witt and Policy: If *Religion* will not, I am sure their *Secular Interest* should: But some say, *Wit is ne'er good till 'tis bought*; I wish you'd have a Care, you do not pay too Dear for it. Therefore my Brethren and Fellow Citizens, Take care in the Choice of *Good Sheriffs*, and by Law advise and take Counsel together, all you that are concern'd to look after the *CHARTER* of the City, which is granted to every individual Freeman, and confirm'd by Divers Acts of Parliament, and is as much their own, as my Land of Inheritance is mine, which cannot be forfeited but for Treason: And I bless God, THAT I am free from, unless false Witnesses prevail. And I am satisfied, That as the City was miraculously burnt by the hands of Papists, so it was miraculously built



built by the Hand of GOD to do some Miraculous Work against the PAPISTS, and in no long time. And I dare be bold to say, If the CHARTER of the City of LONDON be not good; that no Charter of any City or Town Corporate in *England* is: Therefore, Take Care in Time, lest you all Repent when 'tis too late. But 'tis time for me to have done with this Subject, Lest the *Observer* say, Here is a Treasonable Association (for I fear me according to his Doctrine, It may be such for a man and his Wife to love one another, or a Woman to teach her Child to read the Bible 'ere long) and if it should be made out, 'twould be worse their *Kidnapping*: for, I know to my Cost what 'tis to be in the Tower, though that's Honorable, yet its dear, and I love not to pay too dear for my Honor: Yet my Love to all Protestants in general is so great, That I would suffer much for them, rather than by Timorousness stoop to any thing that is Base, or should do the least of them any harm. Have Charity and Love one to and for another, lest you be beaten to it at last. Look up, Protestants, and unite to serve God, honor the King, and meddle not with them that are given to Changes, and strive only to serve one another in Love for the good of the Whole; and be not divided by the Subtilty of the Devil, Jesuites, or any base carnal Interest: and then you need not fear but you will finde [See *Heracitus* Num. 71] Cats enough in *England*, for all the Romish Rats and Mice that seek to devour us, for the Great JEHOVAH is for us, Therefore shall all our Enemies be Scattered.

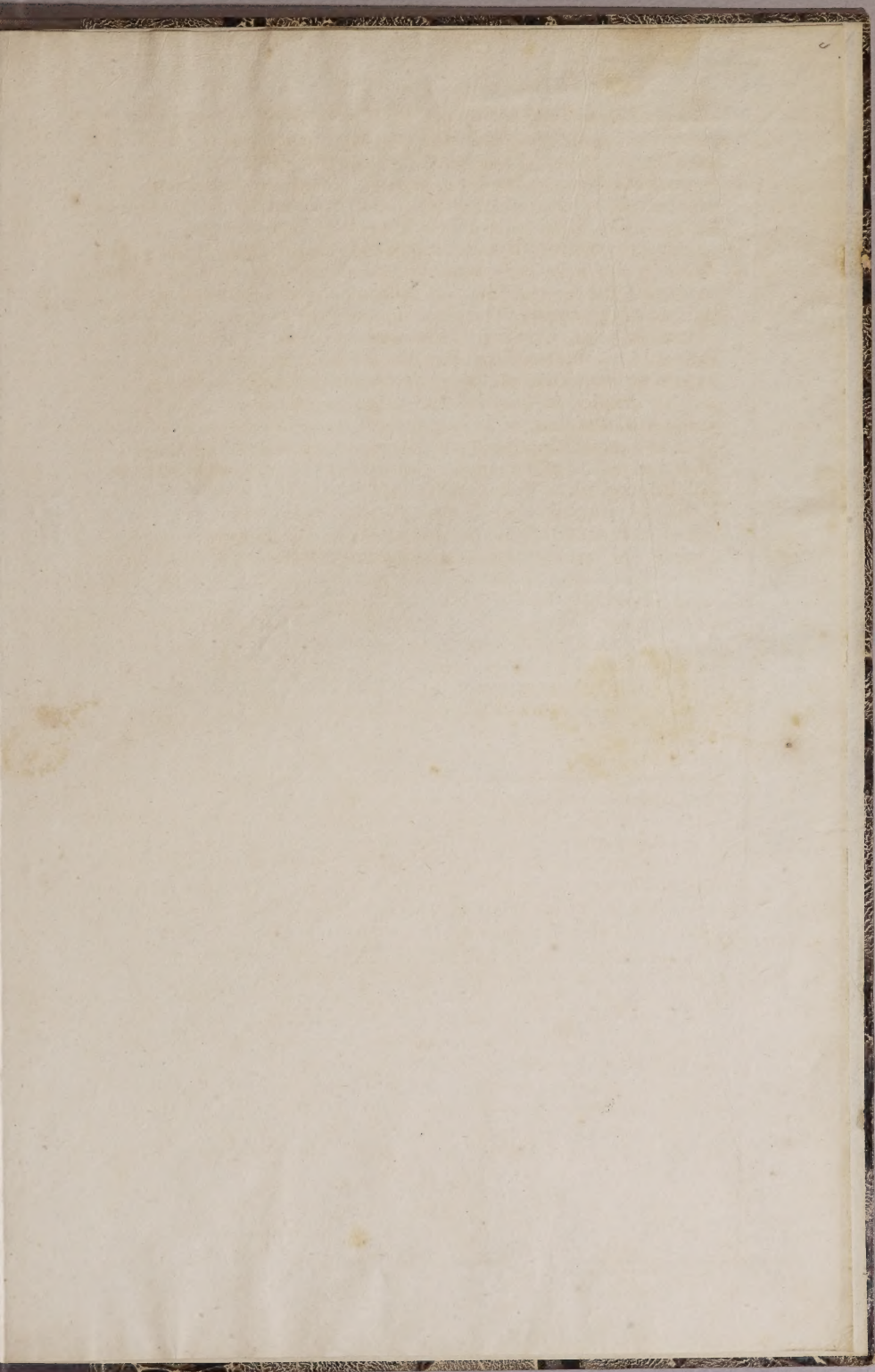
John Wilmer.

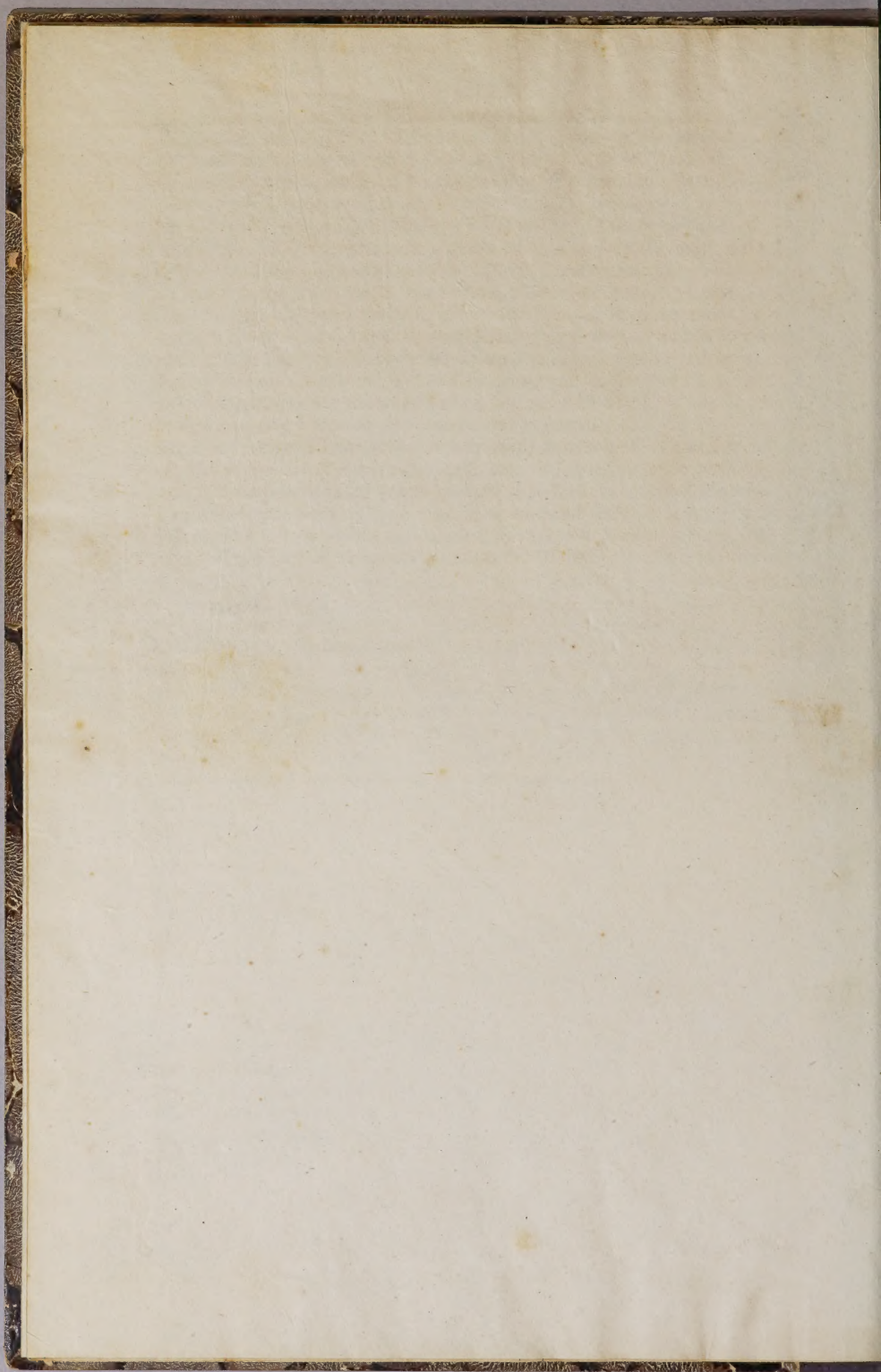
Joseph Paine

This Book was bought of the  
author of the











D682  
-W743C  
1-SIZE  
cop. 1



